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9 UNITED STATES DISTRICT COURT

10 DISTRICT OF NEVADA

11 KRISTIE A. SCAMMELL,

12 Plaintiff,

13 v.

14 NEVADA RESTAURANT SERVICES,  
15 INC. d/b/a DOTTY'S, a Nevada  
16 corporation; ROE CORPORATIONS I  
through X, inclusive; and DOES I through  
X, inclusive,

17 Defendants.

Case No. 2:10-cv-01428-LRH-RJJ

**STIPULATION AND ORDER TO DISMISS  
PLAINTIFF'S RETALIATION CLAIM  
AND WITHDRAW DEFENDANT'S  
MOTION TO DISMISS (DOCKET #9) AS  
MOOT**

18 Defendant Nevada Restaurant Services, Inc. d/b/a Dotty's ("Defendant") and Plaintiff  
19 Kristie A. Scammell by and through their respective counsel of record hereby stipulate and agree  
20 that Plaintiff's second cause of action alleging retaliation shall be dismissed with prejudice. The  
21 parties further stipulate and agree that Defendant's Motion to Dismiss filed on January 28, 2011  
22 should be withdrawn as moot. The parties further stipulate that each party shall bear its own  
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1 attorneys fees and costs associated with Defendant's Motion to Dismiss. Finally, the parties  
2 further stipulate that Defendant's answer shall be due within ten (10) days of the date this  
3 stipulation is submitted.

4 Dated this 15th day of February, 2011.

5 LAW OFFICE OF KRISTINA S. HOLMAN

JACKSON LEWIS LLP

6  
7 /s/ Kristina S. Holman

8 Kristina S. Holman, Bar No. 3742  
9 1100 East Bridger Avenue  
Las Vegas, Nevada 89101

/s/ Lisa A. McClane

Elayna J. Youchah, Bar # 5837  
Lisa A. McClane, Bar # 10139  
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Las Vegas, Nevada 89169

10 *Attorneys for Plaintiff*

*Attorneys for Defendant*

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13 **ORDER**

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15 IT IS SO ORDERED.

16 DATED this 17th day of February, 2011.

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19 LARRY R. HICKS  
20 UNITED STATES DISTRICT JUDGE  
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